REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the following remarks are respectfully requested.

Claims 44-52 are pending in the application, with Claims 44-46 and 52 being the independent claims. Claim 46 has been amended herein. Claims 51 and 52 are newly added. Applicants submit that no new matter has been added.

Claims 44, 50 and 51 were rejected on the ground of nonstatutory obviousness type double patenting as being unpatentable over Claims 1-11 of U.S. Patent No. 5,869,177 (Yoshino et al. '177). Claims 44 and 47 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-11 of Yoshino et al. '177 in view of U.S. Patent No. 4,360,449 (Oberlander et al.). Claims 45 and 49-51 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-14 of U.S. Patent No. 5,800,916 (Yoshino et al. '916). Claims 45 and 47 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-14 of Yoshino et al. '916 in view of Oberlander et al. Claims 44-46 and 48-51 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-18 of U.S. Patent No. 5,851,654 (Yoshino et al. '654). Claims 44-46 and 47 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-18 of Yoshino et al. '654 in view of Oberlander et al. Claims 44-46 and 48-51 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-29 of U.S. Patent No. 5,846,647 (Yoshino et al. '647). Claims 44-47 were rejected on the ground of nonstatutory obviousness-type double patenting as being

unpatentable over Claims 1-29 of Yoshino et al. '647 in view of Oberlander et al. Claims 45 and 49-51 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-23 of U.S. Patent No. 5,962,124 (Yoshino et al. '124). Claims 45 and 49 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-23 of Yoshino et al. '124 in view of Oberlander et al. Claims 44, 50 and 51 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-17 of U.S. Patent No. 5,635,291 (Yoshino et al. '291). Claims 44 and 47 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claims 1-11 of Yoshino et al. '291 in view of Oberlander et al. These rejections are traversed.

Applicants' invention as recited in independent Claims 44-46 and 52 is directed to a process for the preparation of a recording medium including applying on a base material or adding into a slurry containing a fibrous material in a paper making process, a dispersion of alumina hydrate. The Examiner suggests, without providing any evidence, that the method step of applying as a dispersion on a base material would have been a conventional method of forming the article of the patent claims. Applicants disagree. Applicants note that the patent claims do not recite the process step recited in the subject application and, thus, submit that a process for the preparation of a recording medium including applying on a base material or adding into a slurry containing a fibrous material in a paper making process, a dispersion of alumina hydrate, as recited in independent Claims 44-46 and 52, would not necessarily have been obvious to one having ordinary skill in the art at the time of the invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the double patenting rejections. Nevertheless, if

the Examiner maintains the double patenting rejections, Applicants will consider filing a terminal disclaimer.

Claims 46, 50 and 51 were rejected under 35 U.S.C. § 103(a) as being unpatentable over pages 1-6 and 44 of Applicants' specification. This rejection is traversed.

Applicants' invention as recited in independent Claim 46, as amended, is directed to a process for the preparation of a recording medium comprising applying on a base material or adding into a slurry containing a fibrous material in a paper making process, a dispersion of an alumina hydrate. The alumina hydrate contains 0.01 to 1.00 % by weight of titanium dioxide. Applicants acknowledge that page 44 of Applicants' specification indicates that it was known to add additives such as titania to an alumina hydrate of a pseudoboehmite structure. Applicants submit, however, that Applicants' specification does not teach or suggest that it was known, or would have been obvious to use, an alumina hydrate containing 0.01 to 1.00 % by weight of titanium dioxide. Accordingly, Applicants request reconsideration and withdrawal of the § 103 rejection.

Claims 46-51 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner suggests that pages 44 and 45 of Applicants' specification disclose that the titania must be more than simply mixed with the alumina hydrate, it has to be present so that a significant portion of the titania is present in the pores of the alumina hydrate. The Examiner also suggests that Claim 46 does not distinctly claim this structure and reads on the description of the prior art on page 44 of Applicants' specification. Without conceding the propriety of the rejection, Applicants have amended Claim 46 to recite that the alumina hydrate contains 0.01 to 1.00 % by weight of titanium

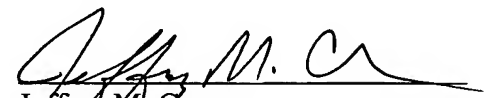
dioxide. Applicants submit that Claim 46 fully complies with the second paragraph of § 112. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 112, second paragraph, rejection.

In view of the foregoing, Applicants respectfully submit that the present invention is patentably defined by independent Claims 44-46 and 52. Dependent Claims 47-51 and 53 are also allowable, in their own right, for defining features of the present invention in addition to those recited in independent Claims 44-46 and 52. Individual consideration of the dependent claims is requested.

Applicants submit that this application is in condition for allowance. Reconsideration and withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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